

the requirement exists to disseminate the information more rapidly than normal publishing procedures permit. In accordance with DoD Instruction 5129.43,¹ "Assignment of Functions for the Defense Scientific and Technical Information Program," January 22, 1963, certain data concerning DoD-sponsored technical symposia will be transmitted to the USDR&E.

(9) Ensure compliance with provisions of DoD Directive 5000.11,¹ which prescribes policy and procedures for the "Data Elements and Data Codes Standardization Program," where applicable, to assigned functions for disseminating DoD technical information.

(c) The *Defense Technical Information Center (DTIC)* shall operate and maintain certification and registration procedures as described in § 157.6 and shall provide appropriate forms and instructions.

(d) *Technical information dissemination activities* shall collect service charges, as approved by the USDRE, to prevent excessive, unwarranted use of their services and to provide partial reimbursement of costs.

§ 157.5 Definitions.

(a) *Technical information.* Information, including scientific information, which relates to research, development, engineering, test, evaluation, production, operation, use, and maintenance of munitions and other military supplies and equipment.

(b) *Technical information dissemination activity.* Any activity, such as DTIC, that operates to assist individuals and organizations within the Department of Defense to effect adequate and timely dissemination of technical information describing planned or ongoing RDT&E effort and the documented results of such efforts and to provide systems and services to assist eligible users to identify, access, acquire, and use DoD technical information.

(c) *Primary distribution.* The initial distribution of a technical document after completion of the original manuscript or its equivalent.

(d) *Critical technology.* Technical data, whose acquisition by a potential adversary would prove detrimental to the national security of the United States. Control of critical technology requires the control of associated critical end products (defined as "keystone") that embody extractable critical technology or that consist of equipment which completes a process line, allowing the line to be fully utilized.

(e) *Technology transfer.* The process through which Government research and technology are transformed into processes, products, or services that can be applied to actual or potential public or private needs. It includes the application of technology that has been developed for a particular mission and, after modification and diversification, fills a different need in another environment.

(f) *Eligible user.* Any DoD office, contractor, subcontractor, DoD potential contractor, or other U.S. Government office or its contractor whose eligibility and need to receive DoD technical information has been certified.

(g) *Contractor.* An individual or organization outside the U.S. Government that has accepted any type of agreement or order for providing research, supplies, or services to a U.S. Government agency. The term specifically includes both prime contractors and subcontractors.

(h) *DoD potential contractor.* An individual or organization outside Department of Defense declared eligible for documentation services by a sponsoring DoD activity on the basis of registration and active participation in a program specifically designed to exchange information concerning Defense support capability.

(i) *Industry information centers.* Centers established by DoD Components to inform the Defense industrial community of DoD acquisition, research and development requirements, plans, and future needs. They serve as DoD access points to Defense planning and requirements documents for representatives of industry, small business, university and nonprofit institutions registered for access to DoD information services.

(j) *Technical information dissemination.* A fundamental and integral part of each RDT&E effort (contractual or in-

¹Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120. Attention: Code 301.

house) that ensures, within procedures established for security and other specific access restrictions, maximum utility of and access to technical information about and technical documents generated from Defense-supported RDT&E.

§ 157.6 Certification for access to technical information.

(a) *Policy.* (1) The Department of Defense shall disseminate technical information in support of its technical programs and in support of similar programs within other U.S. Government agencies. This dissemination shall be made to organizations whose official U.S. Government affiliations are certified. Classified information dissemination will be within the scope of its certified field of interest requirements and facility clearances. However, requests from foreign organizations for and transmittal of classified and controlled information products shall be made only through appropriate DoD foreign release offices under established release procedures.

(2) A uniform certification procedure shall be used for the effective control of the flow of technical information and shall utilize the DD Form 1540, "Registration for Scientific and Technical Information Services," cited in DoD 5220.22-R, "Industrial Security Regulation," January 1979.

(3) Certification shall be according to subject fields and groups of interest and recorded on DD Form 1540. Such certification is a warranty that the user's official responsibilities require access to technical information that can be described by one or another of the prescribed DoD categories of science and technology.

(b) *Responsibilities.* (1) The Defense Technical Information Center (DTIC) and the Defense Contract Administration Services (DCAS) shall operate and maintain the certification procedures and DD Forms 1540 and 1541, "Facility Clearance Register."

(i) DTIC shall:

(A) Develop and distribute such instructions and procedural guidance as necessary for use by DoD Components, U.S. Government contractors and subcontractors, DoD potential contractors, and other U.S. Government of-

fices to maintain the most effective use of the certification procedures within the terms of this Instruction and existing security regulations.

(B) Maintain at DTIC the central authority file of eligible users and notify affected dissemination activities of each new eligible user, along with conditions and scope of coverage, and of any subsequent changes thereto.

(C) Provide information products from DTIC to eligible users as follows:

(a) Unclassified technical information, subject to any approvals that may be required for controlled information.

(b) Classified technical information in only those subject fields of interest and at the security level authorized on DD Form 1540 and in accordance with any approvals that may be required for controlled information.

(D) Recommend changes to DoD 5220.22-M,¹ "Industrial Security Manual for Safeguarding Classified Information," October 1977, and related security procedures in conformance with this part.

(ii) DCAS shall certify the DD Form 1541 and report any change affecting a facility clearance through submission of a revised DD Form 1541 to the central authority file.

(2) Each DoD Component conducting, administering, or sponsoring research, development, test and evaluation and other technical work shall:

(i) Require in-house activities to complete all parts of the DD Form 1540 and submit it to the DTIC before requesting reports or information from dissemination activities. The commanding officer, the technical director, or their authorized designee shall review, approve, modify, or disapprove the registration for technical information services on DD Form 1540 submitted by their personnel.

(ii) Review, approve, modify, or disapprove DD Form 1540 submitted by non-DoD activities or organizations under its cognizance. Personnel selected to authorize DD Form 1540 shall have the technical competence and familiarity with contractor or grantee programs necessary to judge the subject fields of interest of the applicant.

¹See footnote 1 to § 157.4(b)(8).